

29 July 2003

The American Lighting Association wishes to go on record with the Federal Communications Commission (FCC) stating our strong objection to the recent actions taken by the FCC to amend the regulations that implement the Telephone Consumer Protection Act of 1991 (TCPA). We believe the FCC decision to modify the current law, by doing away with the "Established Business Relationship" provision pertaining to marketing to members is inappropriate and should be rescinded. This amendment will place onerous administrative and economic burdens on associations by requiring "expressed written consent" from our own members prior to sending a fax marketing an association activity/event/service that has a fee. It would even require written consent for faxes pertaining to events such as annual meetings. In our opinion this is an inappropriate restriction of legitimate association activity.

Associations rely on faxes as a prime source of communication and marketing to meet the needs of their members. Associations like the American Lighting Association are now faced with the challenging administrative, legal, economic and record keeping ramifications that will occur because of the new FCC changes.

With penalties reaching \$11,000 per authorized fax, this is a burden that few associations can financially endure. The proposed FCC changes are a prime example of an idea where the disadvantages and unintended consequences far outweigh the benefits. We request the FCC halt their efforts to change the current TCPA as it relates to legitimate associations that are serving American business.

Respectfully,

Richard D. Upton, CCE
President and Chief Executive Officer
American Lighting Association